

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

In re: )  
 )  
Application for Consent ) File No. BAL - 20200317AAB  
To Assignment Of )  
Broadcast Station License )  
WNTW 820 AM And )  
Translator W224EB 92.7 FM )

PETITION TO DENY

**I. INTRODUCTION**

William Eastman (hereinafter "Petitioner") pro se, in accordance with the Regulations and Stated Purpose of the Federal Communications Commission, in his individual listener capacity and as a representative of the class of Richmond, Virginia, listeners, hereby respectfully requests that the Commission summarily dismiss or deny the above referenced Application for Consent to Assignment of Broadcast Station Permit or License for the sale and transfer of WNTW 820 AM and W224EB 92.7 FM, licensed to Chester, Virginia, for reasons that are contained herein.

**II. THE PUBLIC INTEREST WILL NOT BE SERVED BY A GRANT OF THIS APPLICATION**

Review of the application is governed by the Regulations of the Commission, which obligates the Commission to determine that the public interest, convenience, interest of diversity, and necessity will be served by a grant of the filed Application.

Applying this criteria to this Application clearly indicates that:

(1) The transaction does not comply with the Commission's rules and policies, as it would be contrary to the Commission's stated policy of maintaining diverse and open distribution of information to a designated market area, as it will reduce the number of talk/news/information stations in the designated market area from 3 stations to 2, thereby effectively reducing the distribution of open ideas, news, and

information to the DMA (a state capital) by one third immediately upon the granting of this Application;

(2) The transaction would result in a harm to public interests by substantially frustrating and impairing the Commission's policy of local focus for broadcast radio stations, as the proposed Assignee has publicly stated that WNTW would be used to fully simulcast Assignee's current licensee WJFN; WJFN provides no local news or community programming, which would remove WNTW's over 15 hours of weekly local programming, 48 minutes per day of local news every day, 48 minutes per day of local weather every day, and presence in the licensed community;

(3) The transaction would go against the Commission's stated desire to maintain diversity in ownership, removing WNTW from the ownership of a female licensee, and transferring it to a non minority owner who already owns a station in the same market;

(4) The transaction would further violate the Commission's stated desire to maintain local service, as no members of management or ownership would be residents of the designated market area should this Application be granted.

### **III. INCORRECT OR NON-FACTUAL STATEMENTS MADE IN THE APPLICATION FOR THIS TRANSFER**

(1) Assignee certifies in Application For Consent To Assignment Of Broadcast Station Construction Permit of License, Section III, Number 10, Financial Qualifications, that it has sufficient net liquid assets on hand and/or available from committed sources to consummate the transaction and operate the station for three months. This is, in fact, not accurate, as is made obvious by the fact that Assignee has made no down payment or any good faith funding in this transaction. This fact is discoverable in Section 2 (a) of the Asset Purchase Agreement, which clearly states that the entire purchase price will be transferred on the closing date. (Attachment 1) In addition, Assignee has publicly stated that it is awaiting loan approval from financial institutions to make this consummation possible;

(2) Assignee certifies in Application For Consent To Assignment Of Broadcast Station Construction Permit of License, Section III, Number 11, that it is cognizant of and will comply with its obligations as a Commission licensee to present a program service responsive to the issues of public concern facing the station's community of license and service area. This statement is certified despite the fact that Assignee stated publicly, on air during a live broadcast on WJFN, that he intends to do away with all current programming on WNTW including local programs, local news, local weather, and community information. Please see Attachment 2.

#### **IV. UNFAMILIARITY WITH AND/OR FLAGRANT VIOLATION OF COMMISSION REGULATIONS**

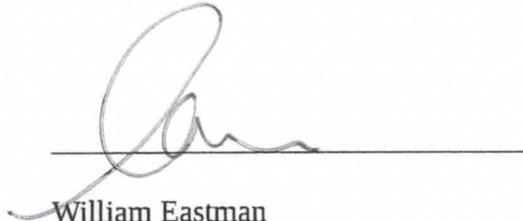
(1) Assignee did claim, live on air during a live broadcast on WJFN, that he was already the owner of WNTW, that he was changing the call sign of WNTW to WJFN AM, that he was releasing the entire staff of WNTW, and that the immediate intention was to remove all of WNTW's programming, including all local and community programming and news, and to simulcast his heavily national programming currently carried by his owned/operated WJFN. Please see Attachment 2. Assignee made these statements on the day that the Application For Consent To Assignment was accepted for filing, before any consummation of a sale, and before the approval of the Assignment by the Commission. This constitutes either a deep ignorance of the Regulations and Code of the Commission, or a flagrant violation of the Commission's Regulations by claiming ownership of a license that Assignee did not and does not own.

(2) Assignee's Managing Member is also an owner of WJFN, licensed to Goochland, Virginia. A check of WJFN's Public File shows that Assignee/Managing Member has not kept this Public File updated, or has not filed proper documentation as to ownership of WJFN. Attachment 3 shows that as of 01/24/2020, the licensee of WJFN is Truth Broadcasting Corporation, and not Assignee Managing Director's Maga Incorporated. No mention or documentation of any Assignment of WJFN from Truth

to Assignee/Managing Director can be found in the Public Files. This, again, constitutes either a deep ignorance of the Regulations and Code of the Commission, or a flagrant violation of the Commission's Regulations by not properly filing and or operating a Commission licensed broadcast station.

Affidavit

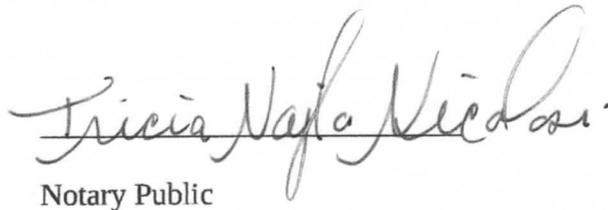
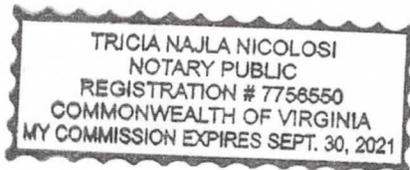
The undersigned declares in accordance with the provisions set forth by the Federal Communications Commission, under penalty of perjury, that the information stated herein above is true to the best of my personal knowledge, information, and belief.



William Eastman  
4820 Old Main Street  
#311  
Richmond VA 23218  
804-346-6557  
RadioGuyVA@Outlook.com

**NOTARY PUBLIC**

William Eastman appeared before me on April 17, 2020 and did affirm that the forgoing statements are true to his knowledge, information, and belief.



Notary Public

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of April, 2020, a copy of the foregoing was served via email, electronic upload and transfer, and/or US Postal Service upon the following:

John Fredericks  
Managing Director  
Disruptor Media LLC  
317 Wildlife Trace  
Chesapeake VA 23320

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW,  
Room TW-A325  
Washington, DC 20554

Davina Sashkin, Esq.  
Fletcher Heald & Hildreth, PLC  
1300 N. 17th Street  
11th Floor  
Arlington VA 22209

Federal Communication Commission  
9300 East Hampton Drive  
Capital Heights MD 20743

Audio Division, Media Bureau  
Federal Communications Commission  
445 12 St. SW  
Room 2-A360  
Washington, DC 20554



William Eastman, Pro Se